

method of evaporating a solvent from an EL layer via a vacuum” (emphasis added). The Examiner then concludes that “[b]ecause Kimura teaches the need to form a uniform EL layer [0160], it would be obvious to one of ordinary skill in the art at the time of invention to have provided a vacuum during the ejection of the EL solution of Kimura with a reasonable expectation of success because Kawase teaches the need to increase the drying speed during ejection in order to form a uniform EL layer and Morii teaches that drying of the EL solution can be accomplished via a uniform EL layer.” Applicants respectfully disagree with the Examiner’s contentions.

For example, Morii discloses “...the regurgitation of the ink constituent is carried out to the dot pattern of ITO using an ink jet printer. Subsequently, in the state of a room temperature, EL light emitting device of drawing 1 is put into a decompression device, and is decompressed the following condition.” Paragraph [0018] in Morii (emphasis added). Further, Morii discloses “In this invention, a rapid reduced pressure condition means the environment where such pressure variation can be realized.” Paragraph [0008] in Morii. Hence, in Morii, an ink constituent is ejected to a substrate *first*, and *then* the substrate is put under reduced pressure (i.e. by putting the substrate into a decompression device).

In contrast, independent Claim 1 of the present application recites “ejecting a solution containing a light-emitting body composition from the below toward an anode or a cathode under a pressure lower than atmosphere pressure” (emphasis added). Independent Claims 2, 3, 6, 7, 10, 11, 16 and 17 include a similar feature. Hence, when the solution is ejected, the pressure becomes lower than atmosphere pressure. This is consistent with the specification of the present application which discloses “the most characteristic point in the present invention lies in that a space 108 between the head 104 and the anode or the cathode 101 is sustained at a reduced pressure, i.e. at a pressure lower than the atmosphere pressure...” And, the ejected droplet 109 travels while volatilizing the solvent

under the reduced pressure so that the remaining luminescent material is deposited on the pixel electrode 101. As a result, the luminescent material is deposited intermittently.” Page 11, lines 2-10 (emphasis added). This feature is not disclosed or suggested in Morii, or the other cited references, and therefore is not disclosed or suggested even if the references are combined.

Therefore, independent Claims 1, 2, 3, 6, 7, 10, 11, 16 and 17 are not disclosed by Kimura, Kawase, and Morii, and Claims 1, 2, 3, 6, 7, 10, 11, 16 and 17 and those claims dependent thereon are patentable over the cited references. Accordingly, it is respectfully requested that rejections 1, 3, 5, 7 and 9 above be withdrawn

Rejections 2, 4, 6, 8 and 10

With regard to rejections 2, 4, 6, 8 and 10 listed above, each of these rejections is based in part on Seikya and one or more other references. It is respectfully submitted that Seikya is not prior art to the present application.

More specifically, Seikya was published on September 19, 2003.

The present application was filed on November 10, 2003 and claims priority under 35 USC §119 of Japanese patent application serial number 2002-327373 filed November 11, 2002 in Japan. A certified copy of this priority Japanese application was filed November 10, 2003 in this U.S. application. Applicants are preparing a verified English translation of Japanese patent application serial number 2002-327373 and will submit it as soon as it is finished.

Hence, as the §119 priority filing date of the present application is prior to the publication date of Seikya, Seikya is not prior art to the present application.

Accordingly, it is respectfully requested that rejections 2, 4, 6, 8 and 10 above be withdrawn.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee should be due for this response, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

Date: August 15, 2007

/Mark J. Murphy/
Mark J. Murphy
Registration No. 34,225

COOK, ALEX, McFARRON, MANZO,
CUMMINGS & MEHLER, Ltd.
200 West Adams Street, Suite 2850
Chicago, Illinois 60606
(312) 236-8500

Customer No. 26568